

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
vs.) CR No. 05-1849 JH
)
DANA JARVIS, et.al.,)
)
Defendants.)

**MOTION FOR ENTRY OF FINAL ORDER OF FORFEITURE
REGARDING NET PROCEEDS (\$4,500)**

The United States moves this court to enter a Final Order of Forfeiture regarding net proceeds (\$4,500, Stipulated Order of Interlocutory Sale, Doc.1754) substituted for the motorcycle 2003 Honda Goldwing motorcycle VIN:1HFSC47023A207622 (Hereafter referred to as “Net Proceeds,”).

As grounds for this motion plaintiff states as follows:

1. On September 27, 2011, this Court entered a Consent Preliminary Order of Forfeiture forfeiting all right, title and interest in the Net Proceeds to the United States.

2. Pursuant to the Consent Preliminary Order of Forfeiture, the United States duly published a notice of criminal forfeiture (Doc. 2089) on an official government internet site at www.forfeiture.gov for at least 30 consecutive days, from September 29, 2011 through October 28, 2011 with respect to the Net Proceeds.

3. Pursuant to the Consent Preliminary Order, the United States seized the Net Proceeds, consisting of \$4,500.

4. No Third Party Claims for adjudication were filed pursuant to 21 U.S.C.

§853(n). Therefore, the entry of a final order of forfeiture regarding the Net Proceeds is proper.

WHEREFORE, the United States respectfully requests that this Court enter a Final Order of Forfeiture Regarding the Net Proceeds (\$4,500), which forfeits all right, title and interest in the Net Proceeds to the United States and vests title thereto in the United States.

Respectfully Submitted,

KENNETH J. GONZALES
United States Attorney

Electronically filed January 31, 2012

STEPHEN R. KOTZ
CYNTHIA L. WEISMAN
Assistant U.S. Attorneys
P.O. Box 607
Albuquerque, NM 87103
(505) 346-7274

I HEREBY CERTIFY that on January 31, 2012, I filed the foregoing pleading electronically through the CM/ECF system, which caused the parties or counsel to be served by electronic means, as more fully reflected in the Notice of Electronic Filing.

/s/
STEPHEN R. KOTZ
CYNTHIA L. WEISMAN
Assistant U.S. Attorneys